

TESTIMONY OF

THE HONORABLE SUE KUPILLAS
COMMISSIONER
JACKSON COUNTY, OREGON

ON BEHALF OF

THE NATIONAL ASSOCIATION OF COUNTIES

BEFORE THE

COMMITTEE ON AGRICULTURE

UNITED STATES HOUSE OF REPRESENTATIVES

JULY 23, 2003

Chairman Goodlatte and Members of the Committee:

My name is Sue Kupillas, four-term County Commissioner in Jackson County, Oregon. Thank you for the opportunity to testify today about the catastrophic fires of 2002, in Southwestern Oregon. My county is 52% federal forests and another 30% private industrial or private non-industrial forests. Josephine County, bordering Jackson, has 71% federal forests and was host to the Biscuit fire in 2002. I love to live in Southwest Oregon because of the natural beauty of the valley surrounded by mountains, pine, fir and cedar forests, streams and rivers.

As a county commissioner, I have served on numerous Bureau of Land Management (BLM) and Forest Service committees, currently chairing the BLM Resource Advisory Committee under Title II of the Secure Rural Schools and Community Self Determination Act of 2000 (PL106-393). I also started one of the first county Natural Resource Advisory Committees in Oregon, for the purpose of involving actual land managers and experts in advising the Board of Commissioners about natural resource policy issues. I'm on the executive board of the O & C Association and most important for today, serve on the Public Lands Committee for the National Association of Counties.

In addition, I set up a forestry think tank, and using PL106-393 Title III funds, have completed two years of a three year research project with Dr. John Sessions from the School of Forestry Engineering at Oregon State University. I tell you this because I want you to know I have a long standing interest in good forest management and effective forest policy.

Beyond the forestry committees is my deep feeling about maintaining healthy, vibrant pine, cedar and fir forests that give us clean water, habitat for wildlife, birds and fish, and yield products desired in world markets. Jackson County and other Oregon counties can have it all, beautiful healthy surroundings and products that create a robust economy. More importantly, we have the only natural resource that is completely renewable. We know how to grow trees and create habitat in Oregon. We are world experts in forest management.

However, federal forest policy and regulation have changed drastically what our land managers

are able to do. Consequently our land managers, tied up in red tape and lawsuits are unable to do much of anything. If they do design a management project, --- before the ink is dry, proposals are appealed until the project is no longer viable.

In the Year Two Thousand Two, Southwest Oregon burned and burned and burned. We had smoke in the Rogue Valley from July 13 until the rains came in October. Over 600,000 acres burned.

- Antelope fire: 44 acres
- Grizzly Peak fire: 1900 acres
- Squire Peak: 2,800 acres
- Timbered Rock: 27,000 acres
- Tiller Complex: 68,850 acres
- Biscuit: 500,000 acres

The cost of the Biscuit fire alone was between \$150 and \$160 million dollars, and now we face restoration costs. Oregon lost over one million acres of our 28 million acres of forests. We lost habitat for wildlife and birds. We lost miles of stream riparian fish habitat. We lost water quality and air quality. We lost massive acres of recreation areas visited by people from all over the world. We lost millions of board feet of merchantable timber that negatively affects the economy and we lost tourist trade that sustains rural communities.

Where are we one year later with restoration efforts? The Rogue/Siskiyou forest supervisor assures me that the Environmental Impact Statement (EIS) will be out in early September and the Record of Decision (ROD) by December. They already have removed hazard trees in some areas. I sense public lands manager's frustration that between lengthy EIS process and potential appeals, the acres and volume of burned merchantable timber values will decrease. Time is the enemy in the equation. Further delays remove any incentive to restore forests. The BLM has only 9,028 acres in the Biscuit fire. The Forest Service has agreed to prepare the EIS on BLM lands also.

The 27,000 acre Timbered Rock fire EIS will be out for public comment on August 1, 2003. Squire Peak fire, Quartz fire of 2002, and Antelope, no EIS is being prepared because according to the BLM the volumes and conditions preclude salvage. In 2002, a Quartz fire salvage sale was offered once, and didn't sell. The sale was offered again, but the Director of the BLM wouldn't

propose it because of the threat of lawsuits.

Congress and agencies have no clear policy direction or goals for the forests after a fire. I admit, policy direction and goals for managing pre-fire and post-fire are difficult with the confusing messages sent, .i.e. 'natural' verses managed. Habitat for endangered species or natural burned over land with little habitat structure. Old growth and late successional conifer stands or natural brush fields and deciduous non-merchantable trees. The Northwest Forest Plan does not adequately address burned forests and scorched Wilderness areas without forest trees have not been considered. The Kalmiopsis Wilderness burned areas may not return to conifer forests in our lifetime. The other confusion is over the notion that thinning in forest/urban interface areas will solve the fire problem. Homes in the interface are only a small part of the problem. With untreated, overstocked forests and excessive fuel loading, thinning in the interface areas is false security. Flame lengths of 100 and 200 feet cause different fire behavior. The heat from the inferno can cause combustion hundreds of feet away. Homes can combust with 100' fuel breaks. All of the forest needs treating.

Another issue is the issue of whether fires are put out while they are small, or left to burn, risking the kind of catastrophic events we experienced last summer. Two of the fires could have been extinguished while they were less than an acre, but it was decided the fire was in a remote area and was doing no harm. In the case of the Timbered Rock fire, local people wanted to extinguish a fire in a snag, but were not allowed to. The fire grew to a whopping 27,000 acres, burning 11,000 acres of private forests. There is prevalent thought in the Forest Service that there is talk of introducing fire into management so letting it burn is defensible. With fuel loading the fires burn hot and get out of control. 'Let it burn' policy is irresponsible with current conditions in the forest. In the case of last summer, this confusion over what direction to take cost us hundreds of millions of dollars, with restoration costs looming in the future. Congress needs to clarify a "put the fire out early" policy and give direction to the Forest Service that the fire needs to be put out, without regard to who does it.

Whether you, as Congress, give clear policy direction is a leadership issue. The Healthy Forest Initiative is very moderate, but does provide some direction. You could provide additional direction.

Several observations come to mind. The issues are confusing and emotional, but data, experience and prediction models do exist that could guide your Committee on Agriculture in developing policy and goals. Rather than looking at goals and policy direction in an intuitive, emotional way, or peering into a crystal ball or just wishing it would be so, a few of us in Jackson County decided to look at the latest best science available from world experts.

This informal diverse Jackson County group has become a forest think tank. Besides me, members include representatives from industry, environmental interests, Forest Service, BLM and economic development, both private and public/private. We have been working with the best forestry research team in the U.S., Dr. John Sessions, the OSU Forestry Engineering department, his assistant, Jeff Hammonn, and others to develop a model that represents actual vegetation layers as they are today and moves in 5 year increments over the next 50 years, to show the effects of no management with fire suppression and then 20 to 40 different levels of management plugging in multiple variables such as slope, aspect, temperature and wind condition. The model predicts flame length and fire intensity under different climate and ecological conditions. (This model was laid over the Biscuit fire along with other information, and the Biscuit fire Report by Dr. Sessions and others was completed and distributed last week.) The model does not suggest policy direction, but gives clear results from different management decisions. This research is being funded by PL106-393, Jackson County Title III funds distributed by Jackson County Board of Commissioners.

My recommendations include these thoughts.

What kind of forest do we want? One with conifer trees as we have had during our lifetime? We are proud of our mighty fir, cedar and pine forests in Oregon. We do not want them converted into brush fields and noxious weed fields. Looking at the results of the Jackson County research, members of Congress can more clearly see the future of the forest. For example, different levels of treatment, that is removing enough vegetation, will reduce flame lengths, reduce mortality and increases tree size over time. This maintains the fir, spruce, and pine forests. Fewer stems per acre make trees larger and more fire resistant. You in the House Committee on Agriculture need to show leadership by being proactive on this issue, by directing agencies to manage for conifer forests with some diversity. You as members of Congress need science to make that decision.

The forests have been managed by man for 10,000 years as shown by research by Dr. Tom Bonnicksen in Texas. European settlers have managed forest for only 150 to 200 years but the forests are altered by people already. 'Natural' untouched by man, does not exist. If we choose to have conifer forests (fir, spruce, and pine) as opposed to deciduous trees or brush fields, our Southwestern dry forests will have to have major restoration efforts after catastrophic fires, including salvage, planting and even in some areas, herbicides to clear competition and allow for growth. The conifer forests not only create habitat for endangered species, clean water and recreational opportunities but includes the economic value of merchantable timber that is desired all over the world. The deciduous forest and brush fields do not have the same economic value, as there is little harvest potential.

So, we need clear goals of what we want forests to be in different regions. It is laughable to consider brush fields and grasses a forest, yet we see evidence that in our generation, that is the result we will see, if burned areas are not treated. The general public in our State of Oregon does not want to see forests converted. We need clear goals what we want the future of the forest to be in different regions. I am asking that you show leadership and responsibility by setting clear goals about the future of the forests.

The Northwest Forest Plan does not adequately include provisions for catastrophic events when it assumes conditions for different land allocations. Wilderness areas also don't provide alternatives for conversion from timbered landscape to woodlands and brush fields and noxious weed infestations. Congress needs to create clear objectives for catastrophic events that significantly change landscapes. For example the EIS or EA could be expedited or in some cases eliminated considering this emergency and time sensitive issue.

Furthermore, time frame for appeals could be shortened or appeal process changed for these emergencies, especially in LSR's and matrix areas. NACo policy supports including local elected officials in this kind of decision making.

Moreover, adequate funding for fighting fires and for restoration is a problem. The fires cost society in many ways, not the least of which is pure economics. The Biscuit fire fighting costs

were between 150 and 160 million dollars. Restoration costs will be in the tens of millions. Oregon has the highest unemployment in the nation. We not only suffer these catastrophic events that affect both private and public lands, but we also then are unable to use the wood before it deteriorates thus eliminating forest jobs and reducing mill production. With Salvage logging in a timely manner, there would be money for restoration of the forests. Finally, brush fields and noxious weeds grow in a short time, and create a new fire hazard, worse than the timbered areas. This is exacerbated by standing snags that are dry wood kindling for the next fire. This time with downed dead trees, the soil gets scorched with the next fire. Each inch of burned soil takes 500 years to replace. Congress needs to fund restoration if we don't want this scenario to repeat over and over. Personally, I want my grandchildren and the grandchildren of my friends to experience what I know so well about the great green fir, cedar and pine forests of Oregon. I do not want my grandchildren or your grandchildren to conclude that we wasted forests, in fact by not managing the forests, we allowed them to burn, didn't restore the conifer forests, therefore we now have volatile brush fields and woodlands in our fire prone region of Southwest Oregon.

I don't want future generations to witness the waste created by our generation as our great Oregon forests convert to brush fields. Future generations will wonder how we could possibly manage grand forests and convert them to brush fields. What could we have been thinking?